

REMARKS/ARGUMENTS

Claims 1, 3, 6 through 14, 18 through 34, and 36 through 64 are pending in the application. Applicant has added claims 49 through 64. The Office Action concedes that claims 2, 3, 8, 15, 16, 21, 29, 30 and 35 are allowable if rewritten in independent form.

The Office Action objects to reference numerals "350" and "825." Applicants respectfully submit that reference numeral "350" is threads described on pages 8, 10 and 12. Applicants have corrected the specification to clarify that like reference numerals denote similar features in alternative embodiments. Additionally, Applicants have corrected the specification to clarify that reference numeral "825" denotes the lower surface of the rim of the liner.

The drawings have been corrected to show traverse axes T and points T₁ and T₂ along each of the axes in FIGS. 1 and 5. Replacement sheets for FIGS. 1 and 5 have been included.

The Office Action asserts that claims 1, 13, 14, 26 and 41 through 48 are anticipated by U.S. Patent No. 5,295,957 to Aida. Claim 1 has been amended to include the feature of cancelled claim 2 and is therefore not anticipated by Aida. Claim 13 depends from claim 1 and, thus, is also not anticipated by Aida.

Claim 14 includes the feature of a closure member having a V-like shape extending substantially across the body of the flexible liner. Aida fails to disclose this feature of claim 14. In contrast, Aida has a circular cap that can be positioned in a circular opening of the liner. Claim 26 depends from claim 14 and, thus, is also not anticipated by Aida.

Claim 41 includes the feature of a closure member integrally connected with the rim and non-removable therefrom, wherein the closure member is movable between a

Amendments to the Drawings:

The drawings have been corrected to show traverse axes T and points T_1 and T_2 along each of the axes in FIGS. 1 and 5. Replacement sheets for FIGS. 1 and 5 have been included.

first position for providing access to the inner volume and a second position for sealing the inner volume. Aida fails to disclose this feature of claim 41. In contrast, Aida has a separate circular cap that can be positioned in a circular opening of the liner. Claims 42 through 44 depend from claim 41 and, thus, are also not anticipated by Aida.

Claim 45 includes the feature of a closure member integrally connected with the liner body and non-removable therefrom, wherein the closure member is movable between a first position for providing access to the inner volume and a second position for sealing the inner volume. Aida fails to disclose this feature of claim 45. In contrast, Aida has a separate circular cap that can be positioned in a circular opening of the liner. Claims 46 through 48 depend from claim 45 and, thus, are also not anticipated by Aida.

The Office Action asserts that claim 27 is anticipated by U.S. Patent No. 6,050,432 to Koehnke. Claim 27 has been amended to include the feature of cancelled claim 35 and is therefore not anticipated by Koehnke.

The Office Action asserts that claims 1, 4, 5, 14, 17, 18, 28, 31 and 32 are obvious over Koehnke in view of French Patent No. 2,783,512 to Jammet. Claim 1 has been amended to include the feature of cancelled claim 2 and is therefore not obvious over Koehnke in view of Jammet. Claims 4 and 5 have been cancelled.

Claim 14 includes the feature of a closure member having a V-like shape extending substantially across the body of the flexible liner. Koehnke and Jammet fail to disclose this feature of claim 14. Koehnke discloses a linear closure member and Jammet discloses a closure member having a V-shape over only a small portion of the width of the closure member. There is no motivation to increase the Jammet V-shape in order to extend it substantially across the body of the flexible liner in Koehnke because the Koehnke liner uses a top portion of the liner that is wider than the bottom portion of the liner in order for the liner to fit over the opening of a holder. Claim 17 has been cancelled. Claim 18 depends from claim 14 and, thus, is also not obvious over Koehnke in view of Jammet.

Claims 28, 31 and 32 depend from claim 27, which includes the feature of cancelled claim 35. Thus, for the reasons discussed above, claims 28, 31 and 32 are also not obvious over Koehnke in view of Jammet.

The Office Action asserts that claims 6, 7, 9, 10, 13, 19, 20, 22, 23, 26, 33, 34, 36, 37 and 40 are obvious over Koehnke in view of Jammet and further in view of U.S. Patent No. 5,385,251 to Dunn. Claim 1 has been amended to include the feature of cancelled claim 2 and is therefore not obvious over Koehnke in view of Jammet and further in view of Dunn. Claims 6, 7, 9, 10, and 13 depend from claim 1, and, thus, are not obvious over Koehnke in view of Jammet and further in view of Dunn.

Claim 14 includes the feature of a closure member having a V-like shape extending substantially across the body of the flexible liner. Similar to Koehnke and Jammet, Dunn fails to disclose this feature of claim 14. Dunn discloses a linear closure member. Claims 19, 20, 22, 23 and 26 depend from claim 14 and, thus, are also not obvious over Koehnke in view of Jammet and further in view of Dunn.

Claims 33, 34, 36, 37 and 40 depend from claim 27, which includes the feature of cancelled claim 35. Thus, for the reasons discussed above, claims 33, 34, 36, 37 and 40 are also not obvious over Koehnke in view of Jammet and further in view of Dunn.

The Office Action asserts that claims 11, 24 and 38 are obvious over Koehnke in view of Jammet, further in view of Dunn and further in view U.S. Patent No. 6,576,278 to Sprehe or U.S. Patent No. 3,834,570 to Barr. Claim 11 depends from claim 1, which includes the feature of cancelled claim 2. Thus, for the reasons discussed above, claim 11 is also not obvious over Koehnke in view of Jammet, further in view of Dunn, and further in view of either Sprehe or Barr.

Claim 14 includes the feature of a closure member having a V-like shape extending substantially across the body of the flexible liner. Similar to Koehnke,

Jammet, and Dunn, Sprehe and Barr fail to disclose this feature of claim 14. Sprehe discloses a linear closure member and Barr does not have a closure member. Claim 24 depends from claim 14 and, thus, is also not obvious over Koehnke in view of Jammet, further in view of Dunn and further in view of either Sprehe or Barr.

Claim 38 depends from claim 27, which includes the feature of cancelled claim 35. Thus, for the reasons discussed above, claim 38 is also not obvious over Koehnke in view of Jammet, further in view of Dunn and further in view of either Sprehe or Barr.

The Office Action asserts that claims 12, 25 and 39 are obvious over Koehnke in view of Jammet, further in view of Dunn, further in view of Sprehe or Barr, and further in view of U.S. Patent No. 5,706,961 to Morano. Claim 12 depends from claim 1, which includes the feature of cancelled claim 2. Thus, for the reasons discussed above, claim 12 is also not obvious over Koehnke in view of Jammet, further in view of Dunn, further in view of Sprehe or Barr, and further in view of Morano.

Claim 14 includes the feature of a closure member having a V-like shape extending substantially across the body of the flexible liner. Similar to Koehnke, Jammet, Dunn, Sprehe or Barr, Morano does not disclose this feature of claim 14. Morano discloses textured tabs for sealing the liner. Claim 25 depends from claim 14 and, thus, is also not obvious over Koehnke in view of Jammet, further in view of Dunn, further in view of Sprehe or Barr, and further in view of Morano.

Claim 39 depends from claim 27, which includes the feature of cancelled claim 35. Thus, for the reasons discussed above, claim 39 is also not obvious over Koehnke in view of Jammet, further in view of Dunn, further in view of Sprehe or Barr, and further in view of Morano.

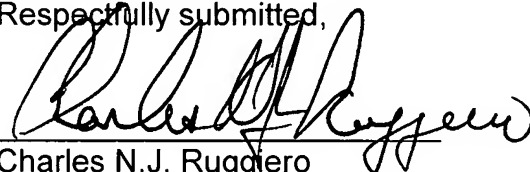
Newly added claims 49 through 56 and claims 57 through 64 include the features of the closure member being integrally connected with the liner body and non-removable therefrom, and the closure member being non-colinear with respect to all of

the traverse axes over a substantial portion of the top portion. None of the above-cited art discloses or suggests these features of claims 49 through 64. Aida has a separate, removable circular cap that can be positioned in a circular opening of the liner. Koehnke discloses a linear closure member along the traverse axis and Jammet discloses a closure member having a V-shape over only a small portion of the width of the closure member. There is no motivation to increase the Jammet V-shape in order to extend it over a substantial portion of the top portion of the flexible liner in Koehnke because the Koehnke liner uses a top portion of the liner that is wider than the bottom portion of the liner in order for the liner to fit over the opening of a holder. Dunn discloses a linear closure member along the traverse axis. Sprehe discloses a linear closure member along the traverse axis and Barr does not have a closure member.

In view of the foregoing, Applicants respectfully submit that all claims present in this application are patentable over the cited prior art and the cited combinations of same. Accordingly, Applicants respectfully request favorable reconsideration and withdrawal of the rejections of the claims. Also, Applicants respectfully request that this application be passed to allowance.

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Respectfully submitted,



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